

SATURDAY, JANUARY 21, 1995

FOURTH ORGANIZATIONAL DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by the Rev. Edwin Sanders, Metropolitan Interdenominational Church of Nashville, Tennessee.

Representative Langster led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present90

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request under **Rule No. 20**:

Representative Garrett; personal reasons.

**ENROLLED BILLS
January 13, 1995**

The following bills have been compared, enrolled, and are ready for the signatures(s) of the Speaker(s): House Joint Resolutions Nos. 6 and 7.

BETTY KAY FRANCIS, Chief
Engrossing Clerk.

**SIGNED
January 13, 1995**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 6 and 7.

BETTY KAY
FRANCIS, Chief Engrossing Clerk.

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**ENROLLED BILLS
January 17, 1995**

The following bills have been compared, enrolled, and are ready for the signatures(s) of the Speaker(s): House Joint Resolutions Nos. 9, 10, 15, 16 and 17.

FRANCIS, Chief Engrossing Clerk.

BETTY KAY

**SIGNED
January 17, 1995**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 9, 10, 15, 16 and 17.

FRANCIS, Chief Engrossing Clerk.

BETTY KAY

**MESSAGE FROM THE SENATE
January 18, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 2 and 3; both for the signature of the Speaker.

McCULLOUGH, JR., Chief Clerk.

CLYDE W.

**MESSAGE FROM THE SENATE
January 18, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 6, 7, 9, 10, 15, 16 and 17; all signed by the Speaker.

McCULLOUGH, JR., Chief Clerk.

CLYDE W.

**REPORT OF CHIEF ENGROSSING CLERK
January 18, 1995**

The following bills have been transmitted to the Governor for his action: House Joint Resolutions Nos. 6, 7, 9, 10, 15, 16, and 17.

FRANCIS, Chief Engrossing Clerk.

BETTY KAY

**MESSAGE FROM THE GOVERNOR
January 19, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith; House Joint Resolution Nos. 6, 7, 9, 10, 15, 16, and 17 with his approval.

NEAL, Counsel to the Governor.

DIANNE F.

RESOLUTIONS

Pursuant to Rule No. 17 the following resolution(s) were introduced and placed on the Consent Calendar for Monday, January 30, 1995:

House Resolution No. 1 -- Memorials, Professional Achievement -- Dr. Robbie Kendall-Melton, 1994 Professor of the Year. by *Herron.

House Joint Resolution No. 22 -- Memorials, Personal Occasion -- John Cathey, 97th birthday. by *Herron.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17 the resolutions listed were introduced and referred to the appropriate committee:

House Joint Resolution No. 20 -- General Assembly, Statement of Intent or Position -- Encourages employers to permit certain local officials to attend their official meetings without adverse consequences for the official.-to encourage employers to permit county commission and school board members to attend certain official meetings without suffering adverse employment consequences. by *Buck, *Winningham

State and Local Government Committee

House Joint Resolution No. 21 -- Naming and Designating -- "Junior League Day," February 7, 1995. by *Eckles, *Bragg.

State and Local Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 43 -- Taxes -- Exempts governmental entities from payment of use tax relative to contracts with private concerns to operate governmental facility. Amends TCA 67-6-209. by *Byrd, *Kent, *Haley.

House Bill No. 44 -- Solid Waste Disposal -- Removes expiration date of June 30, 1995, or implementation of Tennessee Solid Waste Planning and Recovery Act, whichever occurs first, from present law authorizing local government approval of new landfills for solid waste facilities. Amends TCA 68211-708. by *Jackson.

***House Bill No. 45** -- Malpractice, Professional -- Makes evidence concerning financial condition, financial arrangements with health care provider, or financial incentives of medical provider or managed care organization inadmissible on issue of liability in civil action alleging professional medical negligence. Amends TCA Title 29, Chapter 26. by *Jackson.

***House Bill No. 46** -- County Officers -- Exempts officers with 20 continuous years of service as county constable from in service

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education requirements Amends TCA 8-10-202. by *Cole(Carter), *Patton, *Hicks, *Westmoreland.

***House Bill No. 47** -- Criminal Offenses -- Enacts "Money Laundering and Forfeiture Act of 1995." Amends TCA Title 40, Chapter 12. by *Herron, *Ridgeway, *Pinion, *Curtiss, *Fitzhugh, *McDonald, *West, *Shirley, *Haley, *Miller, *Williams (Union) , *Hassell, *Tindell, *DeBerry J, *Halteman Harwell.

House Bill No. 48 -- Contractors -- Requires persons performing home inspections for fee to obtain license from board for licensing contractors. Amends TCA Title 62; Title 4, Chapter 29. by *Davis.

House Bill No. 49 -- Solid Waste Disposal -- Removes requirement that publicly operated landfills and incinerators be financially accounted for by enterprise fund, which has effect of allowing use of enterprise fund or special revenue fund for such accounting as part of general accounting required of state solid waste management funds. Amends TCA 68211-874. by *Davis.

House Bill No. 50 -- Hotels and Restaurants -- Defines "temporary food establishment" as establishment that serves food at fixed location for 20 rather than 14 days Amends TCA Title 68, Chapter 14, Part 3. by *Roach, *Davis.

***House Bill No. 51** -- Highway Signs -- "Dr. C. C. Chitwood, Jr. Memorial Boulevard," S.R. 52, Lafayette. by *Buck, *Winningham.

***House Bill No. 52** -- Highway Signs -- "Ned Ray McWherter Parkway," SR 52, between Lafayette and Red Boiling Springs. by *Buck, *Winningham.

House Bill No. 53 -- Advertising -- Makes specific service sign program applicable in all counties throughout state. TCA Title 54, Chapter 5. by *Buck, *Robinson.

House Bill No. 54 -- Election Laws -- Limits campaign expenditures for print and electronic media per election by candidates for public office to amount which does not exceed first year's salary for office being sought by candidate. Amends TCA Title 2, Chapter 10, Part 1. by *Buck, *Williams (Union), *Robinson.

House Bill No. 55 -- Evidence -- Permits biological specimens statutorily required for DNA testing for sexual offenses to be sent directly to TBI by agency or entity collecting such specimens; present law requires specimens be sent by court or commissioner or chief administrative officer of local jail. Amends TCA 40-35-321. by *Buck, *Williams (Union).

***House Bill No. 56** -- Civil Procedure -- Requires specific special jury interrogatories and jury findings in actions in which comparative fault system of damage recovery is used Amends TCA Titles 24, 25, 26, 27, 28, 29. by *Buck, *Jackson.

***House Bill No. 57** -- Tort Liability -- Clarifies that directional or traffic control signs are included within definition of "street" or "highway" for purposes of governmental tort liability Amends TCA Titles 24, 25, 26, 27, 28, 29, 55, 56. by *Buck, *Jackson.

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***House Bill No. 58** -- Workers' Compensation -- Abolishes physician's exemption from subpoena to trial in workers' compensation case if physician refuses to make reasonable effort to give deposition within 120 days of receipt of notice. Amends TCA Title 50, Chapter 6. by *Buck, *Jackson.

***House Bill No. 59** -- Workers' Compensation -- Raises maximum limit from 91.2 percent of state's average weekly wage to 92.2 percent for injuries occurring between July 1, 1995 and June 30, 1996. Amends TCA Title 50, Chapter 6. by *Buck, *Jackson.

***House Bill No. 60** -- Livestock -- Authorizes reuse or refilling of commercial feed bags which have not been filled initially with medicated feeds. Amends TCA Title 44, Chapter 6. by *Buck, *Givens, *Davidson, *Rinks, *Rigsby.

***House Bill No. 61** -- Banks and Financial Institutions -- Makes customer's records held by financial institution subject to disclosure by subpoena issued in accordance with Rules of Civil Procedure. Amends TCA Title 45, Chapter 10. by *Buck.

House Bill No. 62 -- Water Pollution -- Revises type of marine sanitation devices which are authorized for use on public waters of Tennessee. Amends TCA 6910-216. by *Buck, *Rinks, *Kent, *Bittle, *Hargrove.

House Bill No. 63 -- Tennessee Wildlife Resources Agency -- Authorizes executive director to establish certain waterway restrictions in regard to occurrence of special aquatic events. Amends TCA 6910-211. by *Buck, *Rinks, *Kent, *Bittle, *Hargrove.

***House Bill No. 64** -- Juvenile Offenders -- Allows juvenile court judge to permit exchange of information contained in juvenile court record among specified recipients if judge deems such exchange in best interest of child and community. Amends TCA Title 37, Chapter 1, Part 1. by *Cole (Dyer), *Herron, *Pinion, *Phelan, *Buck.

***House Bill No. 65** -- Minors, Gifts to -- Revises Uniform Transfer to Minors Act to raise age at which custodial trust ceases from 21 to 25. Amends TCA Title 35, Chapter 7, Part 2. by *Cole (Dyer), *Phelan, *Pinion, *Buck.

***House Bill No. 66** -- Highway Signs -- "Mayo Wix Memorial Highway," S.R. 52, Sumner County. by *McDonald, *Bell, *West, *Head, *Rhinehart, *DeBerry J, *Fitzhugh, *Curtiss, *Chumney, *White, *Callicott, *McDaniel, *Bragg, *Westmoreland, *Rigsby, *Stamps, *Davidson, *McAfee, *Fowlkes, *Odum, *Jones U (Shelby), *Arriola, *Robinson, *Halteman Harwell, *Pruitt, *Bowers, *Boyer, *Hassell, *Bird, *Miller, *Shirley, *Jones S, *Coffey, *Hargrove, *Garrett, *Ramsey.

House Bill No. 67 -- Alcoholic Beverages -- Extends temporary litter grant tax on soft drinks and beer for four years. Amends TCA 67-4-402, 57-5-201. by *Rhinehart.

House Bill No. 68 -- Education -- Grants children serving as pages for general assembly during school year excused absences and credited as present for days missed while serving. by *Kent.

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***House Bill No. 69** -- Railroads -- Requires railway companies to provide counseling and under certain conditions time off from work for crew members involved in serious accidents. Amends TCA Title 65, Chapter 12. by *Whitson.

***House Bill No. 70** -- Public Service Commission -- Authorizes public service commission to enforce regulations restricting length of trains to 5,280 feet, violation of which is Class C misdemeanor. Amends TCA Title 65, Chapter 3. by *Whitson.

***House Bill No. 71** -- Railroads -- Requires locomotive to be equipped with climate control devices in cab. Amends TCA Title 65. by *Whitson.

House Bill No. 72 -- Capital Punishment -- Consolidates sentence of death appeals into one broad based appeal. Amends TCA Title 39, Chapter 13, Part 2; Title 40, Chapter 30. by *Buck.

House Bill No. 73 -- Highway Signs -- "Thurston Farrar Memorial Bridge," S.R. 82, Bedford County. by *Phillips.

House Bill No. 74 -- Housing -- Permits compensation for housing authority commissioners if authorized by local ordinance. Amends TCA Title 13, Chapter 20. by *Phillips.

House Bill No. 75 -- Taxes, Gasoline, Petroleum Products -- Clarifies reciprocal agreements may be entered into to allow noncommercial vehicles to transport antique vehicles or farm equipment to and from shows or exhibitions without purchasing temporary fuel permit; present law requires purchase; does not apply to forhire carriers. Amends TCA 67-3-711. by *Phillips.

House Bill No. 76 -- Teachers -- Extends 25 percent tuition discount to children of retired teachers. Amends TCA 49-7-119. by *Phillips.

House Bill No. 77 -- Taxes, Inheritance Gift -- Makes nieces and nephews and their issue Class A beneficiaries for gift tax purposes of any person who has no child or grandchild. Amends TCA Title 67, Chapter 8, Part 1. by *Phillips.

House Bill No. 78 -- Mental Illness -- Places requirements on wilderness camps owned or operated by community mental health centers. by *Phillips.

***House Bill No. 79** -- Liens -- Authorizes motor vehicle wrecking services to have same lien as garagekeepers and to notify all owners of record and lienholders prior to enforcement of lien. Amends TCA Title 66, Chapter 19, Part 1. by *Phillips.

***House Bill No. 80** -- Motor Vehicles, Titling and Registration -- Requires any person who dismantles, wrecks, rebuilds, or otherwise disposes of motor vehicles to possess a valid certificate of title and to notify owners and lienholders of record. Amends TCA Title 55, Chapter 3, Part 2. by *Phillips.

***House Bill No. 81** -- Civil Procedure -- Expands contractual release on liability to include covenants not to enforce judgment in tort cases. Amends TCA 2911-105. by *Phillips.

House Bill No. 82 -- Correction, Dept. of -- Increases from ten to 14 membership of Select Oversight Committee on Corrections. Amends TCA 3-15-101(b), 109(c). by *Rhinehart, *Naifeh, *Purcell, *McKee, *Bittle, *McDaniel, *DeBerry L.

House Bill No. 83 -- Motor Vehicles, Titling and Registration - Permits alumnus of Auburn University to purchase special license plate displaying Auburn logo and colors. Amends TCA Title 55, Chapter 4. by *Eckles.

House Bill No. 84 -- Hospitals and Health Care Facilities -- Requires nonresidential methadone treatment facility to obtain certificate of need Amends TCA Title 68, Chapter 11, Part 1. by *Ramsey, *Westmoreland, *Venable.

House Bill No. 85 -- Education, Higher -- Adds anthropologist from Middle Tennessee State University to archaeology advisory council. Amends TCA Title 11, Chapter 6. by *Bragg.

House Bill No. 86 -- Traffic Safety -- Creates offense of transporting child under age of 12 in back of pickup truck, except in parades or for agricultural purposes; offense is Class C misdemeanor. Amends TCA Title 55, Chapter 8, Part 1. by *Bragg.

House Bill No. 87 -- Eminent Domain -- Removes statutory prohibition that prevents trial courts from awarding discretionary costs in condemnation proceedings. Amends TCA Title 29, Chapter 17. by *Bragg.

House Bill No. 88 -- Lobbying, Lobbyists -- Enacts "Public Service Commission Lobbying Reform Act of 1995." Amends TCA Title 3, Chapter 6. by *Kisber, *Byrd, *Rinks, *Hargrove, *Naifeh, *DeBerry L, *Ridgeway, *Cole(Dyer), *Lewis, *Pinion, *West, *Turner(Hamilton), *Bell, *Fitzhugh, *McDonald, *White, *Purcell, *Brown, *Herron, *McMillan, *Chumney.

House Bill No. 89 -- Election Laws -- Enacts "Campaign Contribution Limits Act of 1995." Amends TCA Title 2, Chapter 10; Title 3, Chapter 6. by *Kisber, *Byrd, *Rinks, *Hargrove, *Naifeh, *DeBerry L, *Ridgeway, *Cole (Dyer), *Lewis, *Pinion, *West, *Turner (Hamilton), *Bell, *White, *McDonald, *Fitzhugh, *Purcell, *Brown, *Herron, *McMillan, *Chumney.

House Bill No. 90 -- Lobbying, Lobbyists -- Enacts "Lobbying Reform Act of 1995." Amends TCA Title 3, Chapter 6. by *Kisber, *Byrd, *Rinks, *Hargrove, *Naifeh, *DeBerry L, *Ridgeway, *Cole (Dyer), *Lewis, *Pinion, *West, *Turner (Hamilton), *Bell, *McDonald, *White, *Fitzhugh, *Purcell, *Brown, *Herron, *McMillan, *Chumney.

House Bill No. 91 -- Nurses, Nursing -- Establishes mechanism for nursing homes to rebate portion of monthly fees to paying patient if violations of patient care found by department. Amends TCA Title 68, Chapter 11, Part 8. by *Pruitt.

House Bill No. 92 -- Parks, Natural Areas Preservation -- Sets aside not less than 10 percent of funds allocated from local parks land acquisition fund to be used for capital projects for parks located in residential areas within inner cities used primarily as

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neighborhood playgrounds. Amends TCA 67-4-409. by *Pruitt, *Langster.

***House Bill No. 93** -- Motor Vehicles, Titling and Registration -- Permits alumnus of University of Alabama to purchase special license plate denoting University of Alabama logo and colors. Amends TCA Title 55, Chapter 4. by *Odom.

***House Bill No. 94** -- Education -- Encourages use of Braille and Braille textbooks in instruction of visually impaired students. by *Odom.

***House Bill No. 95** -- Highway Signs -- "Walter Hill Veterans Memorial Bridge," Rutherford County. by *Bragg, *Eckles.

***House Bill No. 96** -- Boards and Commissions -- Increases membership of archaeological advisory council to include representative of Middle Tennessee State University. Amends TCA 11-6-103. by *Bragg.

***House Bill No. 97** -- Gas, Petroleum Products, Volatile Oils -- Deletes requirement that commissioner of agriculture make annual report on kerosene and motor fuel quality to governor and general assembly. Amends TCA 47-18-1310. by *Bragg.

***House Bill No. 98** -- Judicial Districts -- Adds one additional circuit court judge in 26th judicial district. Amends TCA Title 16, Chapter 2, Part 5. by *Kisber, *McDaniel.

***House Bill No. 99** -- Criminal Offenses -- Adds additional penalties for issuance or passing of multiple worthless checks by one individual. Amends TCA Title 39, Chapter 14, Part 1. by *Arriola.

***House Bill No. 100** -- Civil Procedure -- Imposes civil penalty not to exceed \$500 plus cost of goods or services on parent whose child uses false ID; allows retailer to confiscate false ID and forward to local law enforcement agency and to immigration service if false information concerning U.S. citizenship. Amends TCA Title 39, Chapter 16, Part 3. by *Arriola.

***House Bill No. 101** -- Bail, Bail Bonds -- Allows convicted felon who has had rights of citizenship restored to serve as bail bondsman. Amends TCA Title 40, Chapter 11. by *Phillips.

***House Bill No. 102** -- Motor Vehicles, Titling and Registration -- Provides that annual registration of freight motor vehicles shall expire on April 15 rather than February 28; eliminates 46 day grace period. Amends TCA Title 55, Chapter 4. by *Windle.

***House Bill No. 103** -- Game and Fish Laws -- Allows mentally retarded persons receiving social security benefits to acquire sport fishing license without paying fee. Amends TCA 70-2-104. by *Windle.

***House Bill No. 104** -- Education, Higher -- Provides 25 percent tuition discount at state institutions of higher education for children of active or retired military personnel. Amends TCA Title 49, Chapter 7. by *Windle.

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***House Bill No. 105** -- Education, Higher -- Requires equal pay within one year of 7/1/95 to college athletic coaches and directors based on gender of sport; applies to state colleges and universities and applies only where both men's and women's teams compete at intercollegiate level . by *Windle.

***House Bill No. 106** -- Taxes, Sales -- Exempts agrisawdust from sales and use taxes. Amends TCA Title 67, Chapter 6, Part 3. by *Windle.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to the appropriate standing committee as of January 26, 1995:

- *House Bill No. 6** -- Bond Issues -- House Education Committee
- *House Bill No. 7** -- Custody and Support -- House Judiciary Committee
- *House Bill No. 8** -- Custody and Support -- House Judiciary Committee
- *House Bill No. 9** -- Education -- House Education Committee
- *House Bill No. 10** -- Highways, Roads and Bridges -- House Transportation Committee
- *House Bill No. 11** -- Education, Higher -- House Education Committee
- *House Bill No. 12** -- Criminal Procedure -- House State and Local Government Committee
- *House Bill No. 13** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee
- *House Bill No. 14** -- Traffic Safety -- House Judiciary Committee
- *House Bill No. 15** -- Zoning -- House State and Local Government Committee
- *House Bill No. 16** -- Annexation -- House State and Local Government Committee
- *House Bill No. 17** -- Taxes, Real Property -- House State and Local Government Committee
- *House Bill No. 18** -- District Attorneys -- House Judiciary Committee
- *House Bill No. 19** -- Sentencing -- House Judiciary Committee
- *House Bill No. 20** -- Domestic Violence -- House Judiciary Committee

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***House Bill No. 21** -- Employees, Employers -- House Health and Human Resources Committee

***House Bill No. 22** -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 23** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 24** -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 25** -- Firearms and Ammunition -- House Judiciary Committee

***House Bill No. 26** -- State Prisoners -- House Judiciary Committee

***House Bill No. 27** -- Sentencing -- House Judiciary Committee

***House Bill No. 28** -- Firearms and Ammunition -- House Judiciary Committee

***House Bill No. 29** -- Schools, Private -- House Education Committee

***House Bill No. 30** -- Custody and Support -- House Judiciary Committee

***House Bill No. 31** -- Education -- House Education Committee

***House Bill No. 32** -- Authorities -- House State and Local Government Committee

House Bill No. 33 -- DUI/DWI Offenses -- House Judiciary Committee

***House Bill No. 34** -- Probation -- House Judiciary Committee

House Bill No. 35 -- Probation -- House Judiciary Committee

***House Bill No. 36** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

***House Bill No. 37** -- Municipal Government -- House Education Committee

***House Bill No. 38** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 39** -- Taxes, Real Property -- House State and Local Government Committee

***House Bill No. 40** -- Education, Higher -- House Education Committee

***House Bill No. 41** -- Annexation -- House State and Local Government Committee

*House Bill No. 42 -- Real Property -- House State and Local Government Committee

CONSENT CALENDAR

House Joint Resolution No. 18 -- Memorials, Professional Achievement - Ralph Bowers, J.W. Massengill Distinguished Service to Agriculture award. by *Davis, *Whitson.

House Joint Resolution No. 19 -- Memorials, Death - Robert Scott Miller, Cocke County Deputy Sheriff. by *Davis, *Whitson.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolution and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

ROLL CALL

The roll call was taken with the following results:

Present	97
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Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J, DeBerry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley,

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Stamps, Stulce, Tindell, Towns, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

Rep. Purcell moved that, pursuant to Senate Joint Resolution No. 3 and House Joint Resolution No. 9, the House stand in recess for the Joint Convention to inaugurate the Governor, after which the Organizational Session shall be adjourned and the House shall convene in the Chamber in Regular Session, which motion prevailed.

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IN JOINT CONVENTION

TO INAUGURATE THE GOVERNOR

The hour having arrived, set by Senate Joint Resolution No. 3, the Senate met with the House in Joint Convention for the purpose of inaugurating the Honorable Don Sundquist as Governor.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Crutchfield, the roll call of the Senate was dispensed with.

On motion on Representative Purcell, the roll call of the House was dispensed with.

Thereupon, the Chief Clerk of the Senate read Senate Joint Resolution No. 3 authorizing the Joint Convention.

Mr. President Wilder appointed a Select Committee composed of Senators Cooper, Crutchfield, Harper, O'Brien, Rochelle, and Wallace; and Representatives Bragg, L.DeBerry, Herron, Purcell, Rhinehart, and Ridgeway as the committee to escort Governor Ned McWherter to the Speaker's podium. Representative Bragg served as Chairman of this committee.

Mr. President Wilder appointed a Select Committee composed of Senators Atchley, Elsea, Miller, Person, Rice and Wright; and Representatives Bittle, Duer, Kent, McAfee, McDaniel, and Wood as the committee to escort Governor-elect Don Sundquist to the Speaker's podium. Senator Atchley served as Chairman of this committee.

Without objection, the Joint Convention recessed pending the arrival of the Honorable Ned McWherter, Governor and the Honorable Don Sundquist, Governor-Elect.

The Joint Convention was called to order by Mr. President Wilder.

Without objection, the roll calls of the Senate and House were dispensed with.

Representative Bragg announced that Governor Ned McWherter was ready to be escorted to the podium.

President Wilder asked the Committee to Escort Governor Ned McWherter to please come forward.

Senator Atchley announced that the Honorable Don Sundquist was ready to be escorted to the podium.

President Wilder asked the Committee to Escort the Honorable Don Sundquist to please come forward.

The invocation was given by Rabbi Dansiger.

The Presentation of Colors was by the Tennessee National Guard.

The National Anthem was sung by The Oak Ridge Boys.

President Wilder introduced Governor Ned McWherter, who made the following remarks.

GOVERNOR NED McWHERTER'S ADDRESS

Governor Wilder, Speaker Naifeh, to Governor-Elect Sundquist. To my colleagues in the General Assembly. To the Supreme Court and the Constitutional Officers. To my friends, Governor Winfield Dunn and Governor Lamar Alexander. And most of all to the wonderful people of Tennessee who for eight years have given me the honor of being their governor.

Sometimes in late fall out in the hill country of West Tennessee where I grew up, you can drive along the road and see a farmer standing alone at the top of a ridge looking down over his field at the end of the day. As the sun fades and the air brings the first chill of nightfall, you know that the farmer is looking back one last time to take stock of his work. He planted his crop in the spring telling himself that if he worked hard and was a little lucky he could provide a quality of life for his children that his parents had never known.

After twenty-six years, the time has come for me to stand on the hill and reflect a final time about what our brief stay in this government will mean to our children and to our children's children. Taking the measure of our public service can be a difficult task. The purpose of this government and the values on which it rests are far more precious than any governor or legislator who ever served in this capitol.

Some find it difficult to accept the fact that generations from today the things we worked so hard to accomplish will gradually fade in the public memory as surely as the accomplishments of our ancestors a century ago.

Future history books may not record that it was this Administration and this Legislature and this Supreme Court that together made the commitment to give every Tennessee child modern schools as good as any today.

As the generations pass, students may never learn that it was the Tennesseans in January of 1994 who had the courage and the vision to provide health care to more of our working men and women than any state in the country.

And if Tennessee continues its path of economic growth, at some point our grandchildren may forget that it was this Legislature and this Administration who advanced the dream that every region and every community should share in the blessings of our prosperity.

Like the farmer of the hill, if we are at peace with our purpose the memory of what we did and what we stood for is far more important than who we were. It is enough to know that we worked as hard as we

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could in defense of some simple values that have guided the state that we love for two centuries.

We came to this capitol each day with the conviction that government can be made to work if the people think we are honest and believe we are managing their money wisely. Our agenda was grounded in the belief that government is not the solution for every social or moral issue. We were not afraid of new ideas, including the notion that sometimes problems can be addressed better by local communities and the private sector. And with every major decision, our commitment through the years remained with the thousands of working Tennesseans who get up every morning, get their children ready for school, and go off to work.

Standing this last time on the crest of the hill, I am content that our worth will not be measured by the number of programs or the number of bridges and buildings that bear our names.

Long after all of us are gone, our lives will be judged a success only if the values that have guided Tennessee for 200 years are passed along to our children.

It is for this reason, Mr. Speaker, that I take this opportunity to make two final requests of those gathered here today. To the General Assembly--where my heart will always rest--Tennessee has enjoyed progress beyond our dreams because of the help and support you have given me.

The people have chosen Don Sundquist to lead us over the next four years. For the sake of Tennessee, I ask simply that you be as gracious and kind to him as you have been to me.

And to Governor-Elect Sundquist--a good man who is worthy of the responsibility he is about to receive. For eight years--we have tried above all else to once again make Tennessee a family where no member will be favored and none will be forgotten. I ask only that you take the enormous power about to be given to you and treat every region and community of this state as you would treat one of your children.

I could not close without a final word to the countless men and women across this great state who have touched my life. To the legislators who time and again went to the well for me in the House and Senate--to my staff and the state employees who served so well in our administration.

And to the Tennesseans who stood in the rain eight years ago to vote for me, I thank you from my heart. Looking back--there were a hundred times when you had reason to doubt my judgment. But you always stuck with me and as the years go by I will be sustained by the memory of these golden friends.

It is time now to come down from the hill and pass the torch to a new governor who will lead our state into a future that my parents would never have imagined. As the torch is passed my final thoughts are with the boys and girls who became men and women during my terms as Speaker and Governor.

For most of my life, it seems that no matter what the category, Tennessee was always 48th or 46th--or 49th--always at the back of the

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line. These young men and women were born and grew up in a Tennessee where the standard of success was rarely more than the southern average. During twenty-six years in government, I raised these boys and girls--married them--and watched as they had children of their own. And as those little children crawled on the rug and climbed on the furniture of the Governor's office, the purpose of what we are about became clear.

Together--the sacrifices we made have moved Tennessee to the forefront of the nation in education--health care--and economic development. Yes--Mr. Speaker--there is one simple thing that I hope people will always associate with our Administration. I want them to remember that because of what we did for Tennessee--those children will never know a single day at the back of the line.

I thank you--and may God bless you.

OATH OF OFFICE

The Honorable John Wilder, Lt. Governor of the State of Tennessee, administered the Oath of Office to Governor Don Sundquist, as prescribed by law.

Governor Don Sundquist and Lt. Governor Wilder signed the Oath of Office.

Thereupon, Mr. President Wilder declared that the Honorable Don Sundquist was duly, legally and constitutionally inaugurated the Governor of the State of Tennessee for the ensuing four years.

The Tennessee National Guard gave the Governor's Salute to Governor Sundquist.

The Governor gave the following remarks:

INAUGURAL ADDRESS

Governor Wilder. Speaker Naifeh. Distinguished members of the General Assembly. Constitutional officers. Justices of the Supreme Court. Platform guests. Family and friends. And to each of you, my fellow Tennesseans:

You have chosen me to lead this state through an important passage in our history.

Next year, Tennessee will begin its third century of statehood, and what we do in these next four years will set the stage for the 21st century and the third millennium fast approaching.

I am honored by your confidence in me and humbled today to join in the company of John Sevier, Sam Houston, James Knox Polk, Andrew Johnson, Austin Peay and forty-one others who have preceded me as Governor of Tennessee.

I wish to pay special tribute to three of my immediate predecessors who grace us with their presence here today:

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Winfield Dunn, Lamar Alexander, and the man I will shortly succeed-- a man who has been a leader of this state for thirty years without ever losing the common touch, Governor Ned Ray McWherter.

Thanks to the work of these men and their five million fellow Tennesseans, our state is blessed today with a strong economy, improving schools, good roads, an beautiful natural environment, and a host of other advantages which combine to give Tennessee a special quality of life.

Thanks to all of you, my task in the next four years is to build on this firm foundation a structure of expanding opportunity in which all Tennesseans may share.

My mission will be to break down the barriers that separate Tennesseans from one another and to raise the standard of living for all of our people.

We will not allow our progress to be impeded by divisions of race, religion, geography, political partisanship or anything else.

I intend to work constructively with the General Assembly, with the counties and the cities, with the Democrats and Independents as well as Republicans, with citizens of East, Middle, and West Tennessee alike, with Tennesseans of every race and calling and station in life.

We are Tennesseans coming together. We are pioneering people ready to explore the future together and build a better world for ourselves and our children.

Government can do its part in this new pioneering era:

We can make your streets safer; and we will.

We can improve TennCare; and we will.

We can keep your taxes low; and we will.

We can regulate your lives and your enterprise less; and we will.

We can attract new industry and new jobs at better pay to Tennessee; and we will.

We can give our youngest students, those in kindergarten through third grade, a better start toward a lifetime of learning; and we will.

We can set a high standard of public service, and with the most talented and diverse Cabinet and staff in the history of this state; we will.

The winds of political change are very strong in our country today, sending power away from Washington and back to the people where it belongs.

We are more than ready to take charge of our own destiny here in Tennessee, and the new Administration taking office here today will do its part with ingenuity, integrity, energy, efficiency, and common sense.

But no one should think that government alone is the author of our progress in this state. This is the home of Davy Crockett,

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Sequoyah, Nancy Ward, Alvin York, W.C. Handy, Alex Haley, Wilma Rudolph, Elvis and Minnie and Dinah and countless other Tennesseans who have enriched and inspired the lives of millions throughout the nation and the world.

I entered public service after having built a business, raised a family, served my community and my church, and lived a fulfilling life of private pursuits for forty-six years.

I know that the real heroes of our time are not governors and presidents but parents, farmers, teachers, ministers, athletes, soldiers, the people who make the cars we drive and the music we love, the people who care for those in need and never get -- or expect -- a bit of credit.

My faith is not in government but in people. My goal is for every family to write its own story of success, large or small, in the soil of Tennessee.

The government will help, but I am determined to limit the role of government in our people's lives, to make government your servant and not your master.

Throughout its history, Tennessee has shown the way toward better government, not bigger government:

In the 1820's, President Andrew Jackson of Tennessee gave new life and meaning to the American democracy, opening its doors to the West and to the common man.

In the 1920's, our Legislature cast the deciding vote for the women's suffrage amendment to the United States Constitution. The yellow roses we wear today are in celebration of the 75th anniversary of that vote.

In the 1950's and 60's, Tennessee Senators Estes Kefauver, Albert Gore, and Howard Baker cast courageous votes extending the rights of citizenship for African Americans.

Today our challenge is not the extension of rights but the expansion of opportunity, not consolidating political power but dispersing it reasonably and humanely.

Having helped wage and win a long Cold War against tyranny abroad, today we seek security in our neighborhoods and peace in our hearts, minds, and souls.

As we begin this new century, it is my hope that here in Tennessee we can restore the sense of family and community which sustained so many earlier generations of pioneers.

It is you, my fellow citizens, more than I, who must do this work.

It is you who, in quiet acts of friendship and great leaps of imagination, must push back the frontier of the future and make it a welcome home for all of us.

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I will do my best to lead this state and serve its people, and I am blessed to have as my partner in this effort the partner of my life: my wife Martha.

I look forward to meeting the challenges of this historic moment, and with all of you, " I will lift up mine eyes unto the hills from whence cometh my help. My help cometh from the Lord."

Trusting always in Him, let us rely as well on ourselves and one another and the resourceful spirit of the pioneer that lives in us all.

And let us go forward together to make the undiscovered country that is our future a summerland of opportunity and purpose, safety and dignity and prosperity for every Tennessean. Thank you.

Prayer was offered by Reverend Latimer.

Governor Sundquist introduced his Cabinet Level Appointees.

The Honorable Riley Anderson, Chief Justice of the Supreme Court, administered the Oath of Office to Cabinet Level Members.

The benediction was given by Bishop W. T. Graves.

Mr. President Wilder relinquished the gavel to Mr. Speaker Naifeh as President to the Joint Convention.

The purpose for the Joint Convention was assembled having been accomplished, Mr. President Naifeh declared the Joint Convention dissolved.